

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

MARK K. MACRIS,

Plaintiff,

v.

Civil Action No. 17-CV-361

**EXPERIAN INFORMATION SOLUTIONS, INC
And SPECIALIZED LOAN SERVICING LLC,**

Defendants.

PLAINTIFF'S MOTION TO STRIKE

Plaintiff hereby moves this Court, at a time, date and place to be determined by said Court, for an order striking the affidavit of Cynthia Wallace along with the exhibits attached thereto and other evidence submitted by Defendant Specialized Loan Servicing, LLC's ("SLS") Motion for Summary Judgment:

The grounds for the relief sought are that affiant was not properly disclosed to the Plaintiff as a witness prior to the Defendant SLS filing its motion for summary judgment, and therefore said affidavit and its contents, should not be considered by this Court. The grounds for the relief sought are explained in more detail in Plaintiff's Memorandum of Law.

Dated: December 5, 2018

/s/Seth J. Andrews
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